

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF TEXAS  
FORT WORTH DIVISION

JASON WESLEY,  
*Plaintiff,*

V.

TEXAS OFFICE OF THE  
ATTORNEY GENERAL,  
*Defendant.*

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CIVIL NO. 4:24-CV-557-P

**ORDER RECOMMENDING DISMISSAL  
AND RETURNING CASE TO DISTRICT JUDGE**

On June 17, 2024, *pro se* Plaintiff Jason Wesley (“Wesley”) filed the above-styled and referenced case. On June 24, 2024, the Court Ordered Wesley to “either pay the total filing and administrative fees of \$405.00 or fully complete and return the application to proceed *in forma pauperis*, no later than” July 8, 2024 [doc. 5]. Additionally, the order warned Wesley that failure to comply “**could result in the dismissal of this case without further notice.**” (ECF 5 at 2 (emphasis in original)). As of the date of this Order, Wesley has failed to comply with the Court’s Order to either pay the applicable fees or submit the application to proceed *in forma pauperis*. Consequently, the Court **RECOMMENDS** that the above-styled and numbered case be **DISMISSED** for failing to comply with the Court’s Order.<sup>1</sup>

**NOTICE OF RIGHT TO OBJECT TO PROPOSED  
FINDINGS, CONCLUSIONS AND RECOMMENDATION  
AND CONSEQUENCES OF FAILURE TO OBJECT**

Under 28 U.S.C. § 636(b)(1), each party to this action has the right to serve and file specific written objections in the United States District Court to the United States Magistrate Judge’s proposed findings, conclusions and recommendation within fourteen (14) days after the party has

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<sup>1</sup> The Court also notes that Plaintiff’s claims are barred by the *Rooker-Feldman* Doctrine as lower Federal Courts do not sit in appellate review of state courts.


been served with a copy of this document. The United States District Judge need only make a *de novo* determination of those portions of the United States Magistrate Judge's proposed findings, conclusions and recommendation to which specific objection is timely made. *See* 28 U.S.C. § 636(b)(1). Failure to file, by the date stated above, a specific written objection to a proposed factual finding or legal conclusion will bar a party, except upon grounds of plain error or manifest injustice, from attacking on appeal any such proposed factual findings and legal conclusions accepted by the United States District Judge. *See Douglass v. United Servs. Auto Ass'n*, 79 F.3d 1415, 1428–29 (5th Cir. 1996) (en banc), *superseded by statute on other grounds*, 28 U.S.C. § 636(b)(1) (extending time to file objections from ten to fourteen days).

**ORDER**

Under 28 U.S.C. § 636, it is hereby **ORDERED** that each party is granted until **July 23, 2024**, to serve and file written objections to the United States Magistrate Judge's proposed findings, conclusions, and recommendation. It is further **ORDERED** that if objections are filed and the opposing party chooses to file a response, the response shall be filed within seven (7) days of the filing date of the objections.

It is further **ORDERED** that the above-styled and numbered action, previously referred to the United States Magistrate Judge for findings, conclusions and recommendation, be and hereby is returned to the docket of the United States District Judge.

SIGNED July 9, 2024.

  
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JEFFREY L. CURETON  
UNITED STATES MAGISTRATE JUDGE